

CUP 21 929/54

The CASE of Robert Elliott, Joseph Pearce, John Mackullock, Roger Anderson and John Davison, in behalf of themselves and others, in relation to the Bill now before the Honourable House of Commons, for the Regulating the Prisons of the Fleet and King's-Bench.

WHEREAS the Honourable House hath been pleased to pass such a Bill, for Redress of the grand Abuses daily committed by the Warden of the *Fleet*, and Marshal of the *King's Bench*, to the great detriment and ruine of many Thousands in this Kingdome: a late Instance whereof amongst many other was committed by the Warden of the *Fleet*, in the Case of the Persons, above particularly mentioned, *Viz.*

One *Francis Chartyres* was Arrested at the several Suits of the said several Persons, about the 4th of *May* last, all their Debts amounting to 140*l.* and upwards, which cost them 20*l.* to effect: And the said *Francis Chartyres* being a stubborn and obstinate Man, and dangerous to Arrest, he having killed several Persons upon the like attempt, and at this Arrest run the Bayliffs through. And after he was taken, he by *Habeas Corpus* turned himself over to the said *Fleet-Prison*. And Mr. *Gilley*, and the Turn-key, and one *Whitwood* an Officer of the *Fleet*, were acquainted by the Persons above mentioned, what a dangerous Man he was, and what it cost them to take him: but they took no notice thereof, and declared they would let him out for all them; and so they did, and the next Day the said Persons Arrested him again, and he went over to the *Fleet* a second time, and was immediately set at liberty; who coming to the Persons aforesaid, at whose Suit he was Arrested bid them defiance; saying, *He was a Freeman, for that he had given 18 Guinea's for it, and they should never have a farthing of their Debts*, which they now doubt of, the said *Chartyres* being gone for *Scotland*.

That the Bill with the Lords Amendments being now before this Honourable House it is humbly hoped it may pass, it being of so great concern and importance to the Subject in general, and that the Earl of *Radnor's* Clause, or any other the Lords amendments may not prejudice it, considering the necessity of a Law to make People pay their just Debts, who daily turn themselves to these Two Prisons for great Sums of Money, and purchase their liberty immediately without making satisfaction, or any Proposals to their Creditors, never intending to pay them one Farthing, when they know they can have their liberty without it: by which means several hundreds of Families are ruin'd for want of a sure remedy for recovering their Debts.

These Dealings and Transactions of these Two Goalers makes Foreigners amazed to see that they should assume such a power to themselves, that the Prince or Parliament never did; And that which they now act and do in the very face of Government, while the present Act now lies before their Consideration for restraining them:

That, if they are still permitted to run on in this Course, all Persons will be in danger of losing all is owing to them, and will disable them from giving further Credit: Whereupon the Trade of this Nation chiefly depends. And to sue any Person for a Debt, 'tis meerly throwing good Money after bad; for in 6 Hours after an Arrest the Prisoner is at liberty, and bids defiance to his Creditors.

Therefore 'tis humbly hoped this Act may pass into a Law.